

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/680,888	GODFREY, TIMOTHY GORDON	
	<b>Examiner</b>	<b>Art Unit</b>	
	TAN TRINH	2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 01-24-2005, the information disclosure statement is being considered by the examiner.

### ***Allowable Subject Matter***

2. Claims 1-24 are allowed.

### ***Reasons for allowance***

3. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 7, 11, 17 and 23, the reference of Wentink (U.S. Pub. No. 20030181212) teaches the context of IEEE 802.11 local area networks, the illustrative embodiment is advantageous because it does not require a change to 802.11's coordination function (e.g., distributed coordination function, enhanced distributed coordination function, point coordination function, etc.). Furthermore, stations in accordance with the illustrative embodiment continue to gain access to the shared-communications channel on a statistically-equal basis, although higher-class-of-service applications are able to transmit more frames at each transmission opportunity than are lower-class-of service applications (see page 1, section [0010 and 0016]). And reference of Benveniste (U.S. Pub. No. 20050149136) teaches the access point 201 determines, based on existing schedules (e.g., wake-up schedules for other power-saving stations, polling schedules, etc.), whether temporal period .pi. can be accommodated (i.e., whether the shared-communications channel can handle the additional "load" of the desired

Art Unit: 2684

wake-up schedule without the rate of collisions exceeding a particular threshold T.) (see page 3, section [0050]).

However, the references of Wentink, Benveniste and the prior art of record fail to disclose, the method comprising: asserting a polite request signal that requests that a first transceiver relinquish transmitting via a shared-communications channel, wherein said first transceiver communicates in accordance with a first communications protocol; indicating via said shared-communications channel that a second transceiver hold subsequent transmissions to said first transceiver; asserting a first signal that indicates that said first transceiver has relinquished transmitting via said shared-communications channel; and transmitting at least one frame from a third transceiver via said shared-communications channel after said asserting of said first signal, wherein said third transceiver communicates in accordance with a second communications protocol as cited in claims 1, 11 and 17. And also fail to disclose the A method comprising: notifying a first transceiver to exit a power save state, wherein said first transceiver communicates in accordance with a first communications protocol via a shared-communications channel; asserting a transmitting indication signal that indicates that a second transceiver is transmitting via said shared communications channel in accordance with a second communications protocol; and transmitting at least one frame from said second transceiver after said notifying and before said first transceiver has recovered from said power save state as cited in claim 7 and 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2684

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

**4. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(571) 273-8300, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to the Customer Service Window (now located at the **Randolph Building, 401 Dulany Street, Alexandria, VA 22314**).*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (571) 272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Anderson, Matthew D., can be reached at (571) 272-4177.

The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Art Unit: 2684

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh   
Division 2618  
August 3, 2006

Anderson, Matthew D. (SPE 2618)

